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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/570,048

Applicant: Martin David Bloomberg

Filing Date: December 12, 2006

Title: PH COLOUR INDICATOR FOR USE WITH AGRICULTURAL COMPOUNDS

Examiner: LUDLOW, JAN M

Group Art Unit: 1797

Docket: 056647-0009

March 2, 2011

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ADDITIONAL COMMENTS FOR PETITION FOR REVIVAL OF AN APPLICATION  
FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Dear Sir:

This communication is written further to the Notice of Non-Compliant Amendment dated June 28, 2010 with respect to the above-identified U.S. Patent Application. As stated in the enclosed form PTO/SB/64, the Applicant petitions for revival of the above-identified application on the ground that the applicant unintentionally failed to file a proper reply to the notice of June 28, 2010. The undersigned Agent states that the failure was unintentional, and also states that the entire delay in filing the required reply from the due date for the reply until the filing of this petition was unintentional.

Notice of the issuance of the Notice of Non-Compliant Amendment dated June 28, 2010 was communicated to our firm by email on June 28, 2010. The communication was sent to members of Heenan Blaikie who are not involved in the prosecution of the instant application. Due to an

internal communication error the issuance the Notice of Non-Compliant Amendment was not communicated to Adrian M. Kaplan, the Agent handling the prosecution of the instant application and the due date for responding was not entered in our due date system. Adrian M. Kaplan learned of the issuance of the Notice of Non-Compliant Amendment for the first time on February 28, 2011 after returning a telephone call from Examiner Jan M. Ludlow inquiring into the status of this application. Upon learning on February 28, 2011 that the application had gone abandoned, we have taken immediate steps to petition for the revival of the instant application.

Applicant concurrently submits a response to the notice and the Petition fee of \$810.00 (37 CFR 1.17(m)). Applicant claims small entity status.

Respectfully submitted,

By

  
Adrian Kaplan  
Agent for the Applicant  
Reg. No. 43396

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